

Maine Revised Statutes
Title 22: HEALTH AND WELFARE
Chapter 1055-A: COLLECTION OF OVERPAYMENTS
(HEADING: PL 1993, c. 654, §1 (new))

§3825. EXCEPTIONS TO COLLECTIONS FROM MINORS

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "AFDC" means the Aid to Families with Dependent Children program administered pursuant to former chapter 1053. [2001, c. 551, §2 (NEW) .]

B. "TANF" means the Temporary Assistance for Needy Families program, under the United States Social Security Act, as amended by the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, 110 Stat. 2105. [2001, c. 551, §2 (NEW) .]

[2001, c. 551, §2 (NEW) .]

2. TANF and food stamps. To the extent allowable by federal law, a TANF or food stamp overpayment may not be collected from a person who was a minor dependent in the household at the time the overpayment accrued.

[2001, c. 551, §2 (NEW) .]

3. AFDC. If the caretaker relative and all adult members of an overpaid assistance unit can not be located, are deceased or have had the overpayment discharged in bankruptcy and a minor dependent member of the overpaid assistance unit is receiving benefits from AFDC or TANF, or its successor programs, the department may reduce benefits to the extent required by federal law. To the extent allowable by federal law, the department may not otherwise seek to recover overpaid benefits from anyone who was a minor dependent member of the AFDC assistance unit at the time that the AFDC overpayment accrued.

[2001, c. 551, §2 (NEW) .]

4. Rulemaking. The department may adopt rules to implement this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

[2001, c. 551, §2 (NEW) .]

SECTION HISTORY

2001, c. 551, §2 (NEW) .

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